

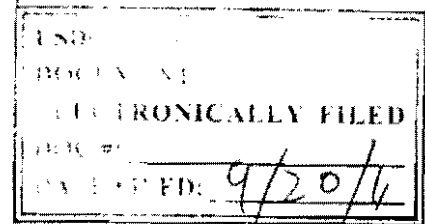
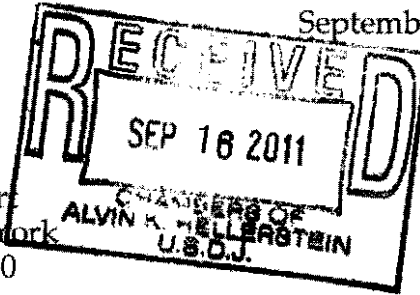
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September 15, 2011

VIA FEDEX

Hon. Alvin K. Hellerstein
United States District Court
Southern District of New York
500 Pearl Street, Room 1050
New York, NY 10007



Re: Emilia Toma v. Halpern & Pintel, Inc., et al.
10 Civ. 5936 (AKH)

Dear Judge Hellerstein:

We represent defendants in the above-referenced matter. The parties jointly submit this correspondence, together with the attached Settlement Agreement and General Release to seek judicial approval of the proposed settlement because it involves a release and waiver of claims brought pursuant to the Fair Labor Standards Act, 29 U.S.C. §201, *et. seq.* ("FLSA").

The parties respectfully request that the Court review the settlement terms *in camera* and approve the Settlement Agreement as a fair and reasonable settlement of the disputed issues. Please note that paragraph 8 of the settlement agreement acknowledges that the Settlement Payment fully compensates the Plaintiff for all wages due and owing to her under the Fair Labor Standards Act and New York Labor Law, and any and all claims for liquidated damages.

As the Settlement Agreement contains strict confidentiality language, the parties jointly request that the attached Agreement not be filed on ECF. Rather, it is requested that the Court grant judicial approval of the Settlement Agreement by "so ordering" the attached Stipulation Settlement of Dismissal, a copy of which is enclosed as Exhibit "A" to the Agreement.

Respectfully submitted,


Louis Pechman

LP/la

Enclosures

cc: Karen Cacace, Esq.

I have read the settlement agreement, and signed the stipulation of dismissal.
9/16/11
